

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

Douglas Robert Shaffer) case # 1 : 21 CV 479 .

(plaintiff))

VS)

State of Indiana/ Allen county)

Beverly Zuber (assessor))

Scot Harbor (tax sale Manager))

Demand for Damages

DEC 28 2021

At GARY T. BELL, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

Judge Wendy Davis)

Demand for jury trial

Equity trust co./ Jay Redding)

(defendants))

-FILED-

This judicial court has jurisdiction under 28 U.S.C. 1331 Federal question jurisdiction arises pursuant to 42 U.S.C. 1983 and 1985

- (1) Title 18 U.S.C. sec. 242 Deprivation of rights under color of law
- (2) Title 18 U.S.C. sec. 241 Conspiracy against rights
- (3) Title 42 U.S.C. sec. 14141 pattern of practice

PETITION FOR REDRESS OF GREIVENCE

Complaint

Comes now; Douglas Robert Shaffer now claims defendants, Allen county officials Judge Wendy W Davis, Allen county assessor Beverly Zuber, Auditor Nicholas Jordan, Scot Harbor, (tax sale manager) are in violation of state and federal laws.

In 2018 then Judge Thomas Felts of the Allen county court, assessor Bev Zuber, Nicholas Jordan (auditor), and William Royce/ Treasurer were noticed of this mistake, but the assessments continued. See exhibit A. Acceptance of Warranty/ grant Deed was filed in 2018 with the county clerk and recorder describing the use of the property. See exhibit B.

Also, September 11 2018, sitting judge Thomas J Felts denies plaintiffs Notice of failure to comply with Indiana rules of trial and consideration for relief. See exhibit C. Furthermore, On December 1st 2021 Plaintiff filed in circuit court, objection to tax deed sale, but on December 16 2021 Judge Wendy W Davis overrules on my objection.

Please note; 72 American Jurisprudence 2 d state and local taxation sec 688

Pleading- Complaint must be filed by attorney.

To be jurisdictionally valid, a complaint regarding a property tax assessment must be prepared and filed by an attorney authorized to practice law, and if the complaint is not prepared and filed by an attorney authorized to practice law, the board of revision does not have jurisdiction to hear evidence or render a decision, and the complaint must be dismissed. (Holding that preparing and filing a complaint with the board of tax revision on behalf of a taxpayer constitutes the practice of law) See exhibit D

With this newly discovered very disturbing evidence, Plaintiff asserts that he has not a prayer in the lower court because he did not give money to an attorney.

Please note; 16 American Jurisprudence 257 limitations as respects judiciary- Actions of administrative agencies, States; As part of the executive branch of government, an administrative tribunal is not a court, it is not part of the judicial branch of government, for the purposes of the separation of powers doctrine.

Plaintiff now asserts because of this evidence he has absolutely no standing in an administrative tribunal!

Moreover, the general rule is that an administrative tribunal is not a court so administrative tribunals cannot determine constitutional issues, and is not authorized to consider or question the

constitutionality of a legislative act, or to declare unconstitutional statutes which it was created to

administer, and enforce. This deprives the people of Indiana of our due process rights.

Additionally, the people of Indiana are being denied the guaranty of the rights and immunities of a citizen that insure him or her the privilege of having those rights and immunities judicially declared and protected. See C.J.S Constitutional law sec. 1207 Amendment Corpus Juris

Secundum

Plaintiff again relies on 72 Am Jur 2d State and local taxation sec. 683 (states) Exempt or nontaxable property.

A challenge to the validity of a tax on exempt property is a challenge to the legality, not the correctness of a tax, thus, such a challenge MAY BE FILED DIRECTLY IN THE DISTRICT COURT without being reviewed by a jurisdiction's board of review and tax commission.

Please see exhibit E

Plaintiff now claims his right to bring this to the district court.

Violation of rights; The right to acquire, hold, and use the property.

16 B Am Jur 2d Constitutional law sec. 628 Meaning and import of property and property rights, generally. (states)

Violation of rights; The right to use and enjoy, and to acquire and sell ones' property, is a fundamental right protected by state and federal constitutions. Please see exhibit F.

Violation of rights; 16 B 2nd Constitutional law sec. 629

Defendants are in violation of state and federal law!

Nature of constitutionally guaranteed property rights; See exhibit G.

Violation of rights; 2 Am Jur 2nd Administrative law sec. 566; Effect of administrative Violation of

rights; 2 Am Jur 2nd Administrative law sec 566; Effect of administrative officer's unreasonable conduct

or malice

Public officials are immune from personal liability for their allegedly unlawful official actions

unless the law clearly proscribes the action they took. Please see exhibit H

Plaintiff now claims public officials are not immune from liability for blatantly disregarding state statute, written law- American Jurisprudence/ Federal law

Violation of Federal law; Please see 26 U.S.C.sec.6334 Property exempt from levy (A)

Any real property used as a residence by the tax payer; or any real property of the tax payer (other than real property which is rented) used by any other individual as a residence.

See exhibit I. Exhibits have been authenticated from Westlaw.

Defendant's are in violation of state and federal law!

Remedy or relief; Reverse actions of criminal conversion by state actors.

Plaintiff now claims monetary loss, mental pain and suffering from these actions by state actors in the amount of one million five hundred thousand dollars. \$ 1,500,000

Douglas Robert Shaffer

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